IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revision No. 1118 of 2006.
Date of Decision: 22nd November, 2007..

Sneh Lata ....Petitioner

through
Mr.Veneet Sharma, Advocate

Versus

Jugal Kishore & Ors.

...Respondents
through
Mr. Jaswinder Singh, Advocate.

CORAM:

HONBLE MR. JUSTICE SURYA KANT.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT,J.(ORAL)

This revision petition is directed against the order dated 7.11.2005 passed by learned Judicial Magistrate Ist Class, Amritsar, whereby Criminal Complaint filed by the petitioner under Sections 406/420/463/466/467/468/471/34 IPC against the respondents, has been dismissed in default.

The petitioner seeks setting aside of the aforesaid order and restoration of her complaint solely on the ground that instead of 7.11.2005, her counsel had wrongly noted the date as “9.11.2005”. In support of the aforesaid plea, the petitioner has placed on record a photo copy of the daily diary maintained by her counsel wherein the

date of the aforesaid complaint has been shown to be “9.11.2005” instead of “7.11.2005”.

Notice of motion was issued and in response thereto, the respondents have put in appearance.

As no reply has been filed by the respondents to controvert the aforesaid factual plea taken by the petitioner, I am of the considered view that non-appearance of the petitioner and/or her counsel on 7.11.2005, when the complaint was dismissed in default, is due to a *bona-fide* error.

Consequently, this revision petition is allowed, the impugned order dated 7.11.2005 is set aside and the Criminal Complaint filed by the petitioner is restored to its original number and file.

The parties through their counsel are directed to appear before the learned JMIC, Amritsar, on 10.12.2007.

Disposed of.

November 22, 2007. ***(SURYA KANT)***
dinesh ***JUDGE***